

**U.S. DEPARTMENT OF ENERGY**  
**NEVADA OPERATIONS OFFICE**

**CHANGE**

**NV 5670.1A**

**7-25-95**

**Subject: MANAGEMENT AND CONTROL OF FOREIGN INTELLIGENCE**

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1. EXPLANATION OF CHANGE. Updated to reflect Principal Intelligence Officer designation assigned to the Manager's Office.
2. FILING INSTRUCTIONS.
  - a. Please file the attached immediately following DOE Order 5670.1A in your DOE and NV Directives Manual.
  - b. Remove NV Order 5670.1A, of 4-1-95, which has been canceled by this Order.

# U.S. DEPARTMENT OF ENERGY

## NEVADA OPERATIONS OFFICE

### ORDER

NV 5670. 1A

7-25-95

**Subject: MANAGEMENT AND CONTROL OF FOREIGN INTELLIGENCE**

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1. PURPOSE. This Order supplements and is to be used in conjunction with DOE Order 5670.1A, MANAGEMENT AND CONTROL OF FOREIGN INTELLIGENCE, of 1-15-92. It provides for the management of, and assigns responsibilities for, foreign intelligence activities within the DOE Nevada Operations Office (DOE/NV). This supplemental directive does not change any requirement of the DOE Order but contains administrative or contractual guidance for DOE/NV.
2. CANCELLATION. NV Order 5670.1A, MANAGEMENT AND CONTROL OF FOREIGN INTELLIGENCE, of 4-1-95.
  - 2.1 SCOPE. The provisions of this Order apply to all DOE/NV organizational elements, DOE/NV contractors/subcontractors, and associated agencies.
3. REFERENCES.
  - a. Executive Order 12333, "United States Intelligence Activities," of 12-4-81, which describes the goals, direction, duties, and responsibilities of the national intelligence effort.
  - b. Executive Order 12863, "President's Foreign Intelligence Advisory Board," of 9-13-93, which establishes the President's Foreign Intelligence Advisory Board and prescribes its organization, duties, and responsibilities to enhance the security of the United States by improving the quality and effectiveness of intelligence available to the United States, and to ensure the legality of activities of the Intelligence Community (IC).

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**INITIATED BY:**  
**Nevada Intelligence Center**

- c. Executive Order 12356, "National Security Information," of 4-2-82, which prescribes a uniform system of classifying, declassifying, and safeguarding national security information.
- d. Title 42 United States Code 7138, "Office of the Inspector General," of 8-4-77, which describes the appointment, confirmation, duties, responsibilities, and authorities of the DOE Inspector General (IG).

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3.1 **APPLICABILITY.** This Order applies to the following:

- a. DOE Nevada Operations Office; the Nevada Test Site (NTS) and NTS tenant organizations; and programs performed under the purview of DOE/NV.
- b. Contractors performing foreign intelligence national security work.

4. **POLICY.** All DOE/NV organizational elements, DOE/NV contractors/ subcontractors, and consultants with foreign intelligence and foreign intelligence-related activities shall register their programs and activities with the DOE/NV Principal Intelligence Officer (PIO). The DOE/NV PIO shall utilize the resources of the Nevada Intelligence Center (NVIC) in order to execute his/her authority for programmatic oversight of all DOE/NV foreign intelligence and foreign intelligence-related activities to ensure compliance with applicable provisions contained in Executive Order 12333, applicable national security directives, the National Security Act of 1947, and all other applicable laws.

5. **RESPONSIBILITIES AND AUTHORITIES.**

- h. **Field Office Managers.** The DOE/NV Manager, as the DOE/NV PIO, serves as the focal point for all DOE/NV interactions with the Departmental Senior Intelligence Officer (SIO) and is responsible for functions, coordination, budget, and oversight of DOE/NV foreign intelligence and foreign intelligence-related activities.

- (1) Serves as Chair of the DOE/NV Intelligence Advisory Board.

- (2) Recommends to Office of Energy Intelligence (NN-30) approval of access to special foreign intelligence in accordance with NN-30 and IC policy and guidance.

- i. **Assistant Manager for Environment, Safety, Security, and Health.** Provides overall management direction of the DOE/NV safeguards and security program

- j. **Director, NVIC.**

- (1) Implements DOE/NV foreign intelligence activities which include the following essential elements:

- (a) Planning and direction.
  - (b) Processing.
  - (c) Production.
  - (d) Dissemination.
- (2) In coordination with DOE/NV and DOE/NV contractor organizational elements, determines DOE/NV's foreign intelligence requirements and submits such requirements to the Director, NN-30.
  - (3) On behalf of the DOE/NV Manager, conducts quarterly surveys of DOE/NV and DOE/NV contractor foreign intelligence activities to ensure compliance with applicable Federal law and regulations.
  - (4) Serves as DOE/NV point of contact with National-level IC, DOE/HQ, DOE/NV Principal Staff, Contracting Officers and their authorized representatives, DOE/NV contractors, subcontractors, and consultants on foreign intelligence issues.
  - (5) Prepares and coordinates DOE/NV's foreign intelligence program budget and obtains NN-30 support and approval for national-level sponsorship of foreign DOE/NV intelligence programs.
  - (6) Ensures that foreign intelligence information is protected from compromise and/or unauthorized disclosure. Foreign intelligence information will be released on a strict need-to-know basis.
  - (7) Will provide all assistance necessary in support of NN-30, the IG, and any other organization or agency approved by the Director, NN-30, for the inspection and evaluation of DOE/NV's foreign intelligence programs and intelligence files.
  - (8) Serves as the exclusive channel for all DOE/NV, DOE/NV contractors, and DOE/NV consultant requests to NN-30 and the IC for foreign intelligence information.

- (9) Serves as DOE/NV Intelligence Training Officer, coordinating DOE/NV's training requirements with Office of Nonproliferation and National Security's (NN-1) IC Training Officer.
- (10) Ensure viability of "need-to-know" restrictions on access to foreign intelligence and special access programs.
- (11) Develops memoranda of understanding and agreement, as appropriate between DOE/NV and other members of the IC, commensurate with applicable NN-30 guidance on foreign intelligence activities.
- (12) Develops DOE/NV-wide foreign intelligence policy, procedures, guidance, and instructions in accordance with Federal laws, DOE Orders, and DOE policy.
- (13) Controls access to, dissemination, and use of Sensitive Compartmented Information and other levels of classified intelligence information bearing the Director of Central Intelligence (DCI)-authorized control markings within DOE/NV and its contractors.
- (14) For the Counterintelligence (CI) Program, ensures appropriate resources are available for the conduct of a viable CI Program designed to counter the foreign intelligence threat.

k. Director, Safeguards and Security Division.

- (1) Establishes, in coordination with the Director, Office of Security Affairs (NN-50), and NVIC, policy and procedures to ensure that an adequate and viable security program exists for the protection of classified foreign intelligence information located in DOE/NV and DOE/NV-owned, contractor- or subcontractor-operated facilities under DOE/NV jurisdiction.
- (2) Provides immediate notification to NN-50 and NVIC on possible or probable compromise of foreign intelligence information.
- (3) In coordination with NVIC, establishes DOE/NV policies and procedures for the proper handling, safeguarding, and

accountability of foreign intelligence information within DOE/NV and DOE/NV contractor/subcontractor facilities.

- l. Director, Information Management Division. Ensures all provisions for protection of foreign intelligence information are applied to all automatic data processing systems under DOE/NV cognizance.
- m. DOE/NV Principal Staff.
  - (1) Ensure intelligence activities under their cognizance have copies of, or access to, Executive Order 12333, other applicable Orders, directives, or guidance of the proper conduct of intelligence activities.
  - (2) Ensure requests for foreign intelligence information are made through the NVIC.
  - (3) Ensure intelligence training requirements are coordinated with the NVIC.
- n. Contracting Officers and Contracting Officer Representatives. Ensure that DOE/NV contractors, subcontractors, and consultants under their jurisdiction perform the following functions/tasks:
  - (1) Ensure intelligence activities under their jurisdiction have copies of, or access to, Executive Order 12333, and other applicable Orders, directives, or policy guidance necessary for the proper conduct of intelligence activities.
  - (2) Ensure that organizations under their jurisdiction make requests for foreign intelligence information through the NVIC.
  - (3) Ensure intelligence training requirements are coordinated with the NVIC.

6. DEFINITIONS.

- a. Counterintelligence: Information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted for, or on behalf of, foreign powers, organizations, persons, or terrorist activities.

- b. Foreign Intelligence Information: Relates to the capabilities, intentions, and activities of foreign powers, organizations, or persons.
- c. Human Intelligence: Intelligence information acquired by human sources through covert and overt collection techniques and open source data.
- d. Imagery Intelligence: The products of imagery and photographic interpretation processed for intelligence use.
- e. Intelligence Community: The aggregate of the following Executive branch organizations and agencies involved in intelligence activities: the Central Intelligence Agency; the National Security Agency; the Defense Intelligence Agency; offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs; the Bureau of Intelligence and Research of the Department of State; intelligence elements of the military services, the Federal Bureau of Investigation, the Department of the Treasury, and the Department of Energy; and the staff elements of the Office of the DCI.
- f. Measurement and Signature Intelligence: Scientific and technical intelligence information obtained by quantitative and qualitative analysis of data (metric, angle, spatial, wavelength, time dependence, modulation, plasma, and hydromagnetic) derived from specific technical sensors for the purpose of identifying any distinctive features associated with the source, emitter, or sender, and facilitating subsequent identification and/or measurement of same.
- g. Principal Intelligence Officer: The highest ranking DOE/NV official charged with direct foreign intelligence missions, functions, or responsibilities within DOE/NV. The DOE/NV Manager serves as the PIO.
- h. Senior Intelligence Officer: The SIO is the focal point for all DOE interactions with the IC and is responsible for coordination and oversight of the Department's budget for intelligence and intelligence-related activities. The Director, NN-30, is the DOE SIO and serves as the Secretary of Energy's executive agent for carrying



out the provisions of Executive Order 12333 and applicable laws relating to the Department's intelligence activities.

- i. Senior Official of the Intelligence Community (SOIC): The senior official from a department or agency of the IC charged with implementing DCI policy and directives within his/her organization. The Director, NN-1, is the SOIC for DOE.
- j. Signals Intelligence: Intelligence information derived from signals intercept comprising, either individually or in combination, all communications intelligence, electronic intelligence, and foreign instrumentation signals intelligence, however transmitted.

Terry A. Vaeth  
Acting Manager